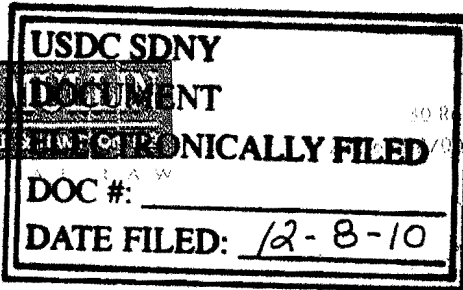


MEMO ENDORSED



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December 8, 2010

Our File Number: 18013-154643

VIA FACSIMILE

The Honorable P. Kevin Castel
 United States District Court, Southern District of New York
 Daniel Patrick Moynihan, United States Courthouse
 500 Pearl Street
 New York, New York 10007
 Fax: (212) 805-7949

Re: *Franqui v. Bolton, et al.*,
 Case No. 1:10-cv-07391 (PKC)

Dear Judge Castel:

We represent defendants Tullett Prebon Americas Corp. ("TPAC"), Tullett Prebon (Americas) Holdings Inc. ("TPAH") and Tullett Prebon PLC ("TP PLC") in connection with the above referenced action. We write with the consent of defendant Marcus Bolton's counsel (all defendants are collectively referred to herein as "Defendants") in response to plaintiff Jessica Franqui's ("Plaintiff") request for an adjournment of the initial pre-trial conference, dated December 7, 2010 ("Request for Adjournment").

While Defendants do not oppose a short adjournment of the initial pre-trial conference currently scheduled for December 13, 2010, Defendants believe Plaintiff's Request for Adjournment to be excessive and would seek as early a date as is possible. Defendants would like to respectfully point out to the Court that Defendants have made every effort to move this case forward. Specifically, Defendants have presented Plaintiff with a proposed scheduling order, a copy of which is attached hereto for the Court's reference. In addition, Defendants have presented Plaintiff with HIPAA compliant waivers, requested that the parties discuss potential search terms relating to the parties' e-discovery obligations, offered to set up a mutually convenient time for an expert of Plaintiff's choice to inspect the videotaped surveillance footage relevant to this matter and, on multiple occasions, offered to discuss acceptable preservation methods of such videotaped surveillance footage. Plaintiff has not meaningfully responded to any of Defendants' offers or requests.

Plaintiff is the party who commenced this action and Defendants are fully prepared to move forward without unnecessary delay. Defendants respectfully request that Your Honor consider the above when addressing Plaintiff's Request for Adjournment.

Thank you for Your Honor's attention to this matter.

Respectfully submitted,

Jonathan Stoler

cc: B. Weiss, Esq.
 A. Rosenbloom, Esq.
 L. Marks-Esterman, Esq.
 A. Herzberg, Esq.

Parties, through their counsel, are directed to meet face-to-face to discuss the discovery schedule and scope of HIPAA waivers for no less than one hour between the date of this order and December 30, 2010.
SO ORDERED.
[Signature]
 USDC
 12-8-10